



May 5, 2022

BY ECF

Hon. Frederic Block
United States District Court
Eastern District of New York
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Brooklyn, NY 11201

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Re: Kent v. PoolTogether Inc., et al., Case No. 1:21-cv-06025-FB-CLP

Dear Judge Block,

On behalf of Defendant PoolTogether Inc. ("PoolTogether"), I write to request that the hearing on the pending motions to dismiss or compel arbitration (Dkt. Nos. 94, 97, 100, 102, 103 and 116), currently scheduled for May 12 at 3:30 p.m., be rescheduled either for noon of May 12 (assuming the Court will excuse me by 2 p.m.) or any time on June 6. That is the first date after the 12th on which counsel for all parties are currently available on those dates.

PoolTogether's motion to compel arbitration or dismiss the complaint (Dkt. No. 103) is one of the motions to be heard on May 12. As lead counsel for PoolTogether, I intend to argue PoolTogether's motion. I represented PoolTogether at my former firm, before joining my current firm last November, and am the only counsel at my current firm who was involved in preparing PoolTogether's pending motion and is familiar with the issues it presents. However, I am based in Washington, DC, which would make it impossible to attend the hearing at the currently scheduled time and return home due to my observance of the Jewish Sabbath, which begins at sundown Friday evening.

Counsel for Plaintiff and the other Defendants whose motions are to be heard consent to rescheduling at the above-indicated times or dates. I would be very grateful for the Court's consideration of this request.

This is PoolTogether's first request for an adjournment of the hearing on the pending motions. The requested adjournment will not affect any other scheduled dates in this action.

Respectfully submitted,

/s/ Behnam Dayanim

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